

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDAHENRY NARANJO and
MARLENE RAMIREZ,CASE NO.: 00-6022-CIV-LENARD
MAGISTRATE: JUDGE TURNOFFPlaintiffs,
vs.STEPHEN BYRONS SMITH
and PALMER JOHNSON, INC.

Defendants.

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U.S. DISTRICT COURT
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PLAINTIFF'S NOTICE OF TAKING DEPOSITION DUCE TECUM
(DOCUMENTS AND THINGS CAN BE MAILED IN LIEU OF DEPOSITION)

TO: F. David Famulari, Esq.
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TAKE NOTICE that the undersigned attorneys will take the deposition of:

Name & Address:

Records Custodian of Tom Texas Yacht Design, Inc.
1519 S.W. Dyer Point Road
Palm City, Florida 33490

1320 South Federal Highway, Suite 104
Stuart, Florida 34994

Date & Time :

Tuesday, February 6, 2001 at 1:00 p.m.

6/1/01

Case No.: 00-6022-CIV-LENARD/TURNOFF

**Place : RIVKIND & PEDRAZA, P.A.
Sixth Floor, Concord Building
66 West Flagler Street
Miami, Florida 33130**

Upon oral examination pursuant to Rule 30, Federal Rules of Civil Procedure, before Mocega & Associates, court reporters, or any other Notary Public or officer authorized by law to take depositions in the State of Florida. The oral examination will be recorded stenographically and continue from day to day until completed. The deposition will be taken for the purpose of discovery, for use at trial, or for such other purposes as are permitted under the Federal Rules of Civil Procedure.

Pursuant to Rule 30, Federal Rules of Civil Procedure, the witness is requested to bring with him/her or produce at this deposition the following described material, documents, and records:

The originals of any and all materials and tangible things in the possession, custody, or control of the above identified deponent, in either his or her individual capacity as it pertains to the within cause(s):

1. Any and all documents, blue prints, naval architect plans, Balast plans, cement pouring schedule, construction plans, design plans, modifications, all surveys, surveyor reports for the motor yacht "CAPTIVATOR", Hull No. 190.
2. All correspondence between Palmer Johnson and Tom Texas and/or Tom Texas Yacht Design Inc., all correspondence between Tom Texas and/or Tom Texas Yacht Design Inc., and Bruce Cohen, all correspondence between Tom Texas and/or Tom Texas Design Inc., and any other person or entity as it pertains to the 10 foot cockpit extension for the motor yacht "CAPTIVATOR" Hull No. 190.
3. All change orders, contracts, invoices, bills for services rendered, service contracts, fee schedules, cancelled checks evidencing partial payments for the cock pit extension. Cancelled checks evidencing complete payment for the cock pit extension as it pertains to the 10 foot cockpit extension for the motor yacht "CAPTIVATOR" Hull No. 190.

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4. All blue prints naval architect plans, Balast plans, cement pouring schedule, construction plans, design plans, modifications, all surveys, surveyor reports for the cockpit extension for the motor yacht "CAPTIVATOR", Hull No. 190.
5. All photographs, diagrams, schematics, sketches, notes, hand written notes, computer notes, type notes, videos as they pertain to the 72 foot Palmer Johnson motor yacht "CAPTIVATOR".

Respectfully Submitted,

RIVKIND & PEDRAZA, P.A.
Attorneys for Plaintiffs
Concord Building, Sixth Floor
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Telephone: (305) 374-0565
Facsimile : (305) 539-8341

By: 
MANUEL VALDES, ESQ.
Fla. Bar No.: 13307

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been mailed on this 3 day of January, 2001 to all the above named attorneys on record.

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